

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

**KEVIN LYNN GAMBLE, #590905,**

§

Petitioner,

§

v.

§ Civil Action No. **3:09-CV-0567-L**

**NATHANIEL QUARTERMAN, Director,  
Texas Department of Criminal Justice,  
Correctional Institutions Division,**

§

Respondent.

§

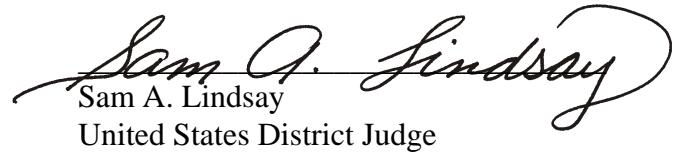
**ORDER**

Before the court are the Findings, Conclusions and Recommendations of the United States Magistrate Judge, filed June 26, 2009. Petitioner did not file objections.

This is a habeas petition filed pursuant to 28 U.S.C. § 2254. Magistrate Judge Wm. F. Sanderson, Jr. found that the petition was barred by the one-year statute of limitations of the Antiterrorism and Effective Death Penalty Act of 1996 and that Petitioner was not entitled to equitable tolling because he failed to demonstrate the required extraordinary circumstances and due diligence.

Having reviewed the pleadings, file, and record in this case, and the findings and conclusions of the magistrate judge, the court determines that the findings and conclusions are correct. The magistrate judge's findings and conclusions are therefore **accepted** as those of the court. The court therefore **dismisses with prejudice** the writ of habeas corpus as barred by the one-year limitations period.

**It is so ordered** this 17th day of July, 2009.



Sam A. Lindsay  
United States District Judge